

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONALD F. MARTINEZ,
Plaintiff,
v.
C. RODRIGUEZ,
Defendant.

Case No.: 1:21-cv-01495-NONE-JLT (PC)

**ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS***

(Doc. 11)

**ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION**

Plaintiff is a prisoner proceeding *pro se* pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by section 1915(a), and accordingly, the request to proceed *in forma pauperis* is granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The California Department of Corrections and Rehabilitation is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

Accordingly, the Plaintiff's application to proceed *in forma pauperis* is **GRANTED**;

1. The Director of the California Department of Corrections and Rehabilitation or his designee shall collect payments from Plaintiff's prison trust account in an amount

1 equal to 20% of the preceding month's income credited to the prisoner's trust account and
2 shall forward those payments to the Clerk of Court each time the amount in the account
3 exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been
4 collected and forwarded to the Clerk of the Court. The payments shall be clearly identified
5 by the name and number assigned to this action.

6 2. The Clerk of Court is directed to serve a copy of this order and a copy of
7 Plaintiff's *in forma pauperis* application Director of the California Department of Corrections
8 and Rehabilitation via the Court's electronic case filing system (CM/ECF). The Clerk of Court is
9 directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern
10 District of California, Sacramento Division.

11
12 IT IS SO ORDERED.

13 Dated: December 6, 2021

_____/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE